

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- against -

KEVIN ALLER,

Defendant.

00-cr-977 (JGK)
11-cv-9089 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court has received the attached letter from the defendant which renews his application for compassionate release and seeks the appointment of counsel.

The application for the appointment of counsel for the application for compassionate release is denied. The petitioner has failed to show that there is any likelihood that the application will be granted. This Court recently reduced the defendant's sentence substantially pursuant to the First Step Act after taking into account the relevant factors under 18 U.S.C. § 3553(a). The Court also denied an application for a further reduction in the defendant's sentence because a further reduction would not be consistent with the factors in section 3553(a). There is nothing in the petitioner's letter that suggests that the section 3553(a) factors have changed from when the Court recently assessed them. Therefore, the application for the appointment of counsel is denied. Similarly, because the section 3553(a) factors argue strongly against any further

reduction in the defendant's sentence, the defendant's application for compassionate release is denied.

The Clerk is directed to send a copy of this Order to the Defendant at: Kevin Aller 45021-054, Metropolitan Detention Center, P.O. Box 329002, Brooklyn, NY 11232.

SO ORDERED.

**Dated: New York, New York
January 6, 2021**

**/s/ John G. Koeltl
John G. Koeltl
United States District Judge**

DEAR HONORABLE JUDGE KOELTL

I know u don't like for me to write, with out THE LAWYER. BUT MS. BROWN DIDN'T DO MY COMPASSIONATE RELEASE. I WOULD PAY & LIKE IF YOU CAN AFFORD ME A LAWYER FOR IT. BUT MR. KOELTL I'M NOT SURE YOU AWARE BUT THEY SAY ON NEWS LETTER THAT THE SOUTHERN & EASTERN JUDGES TOLD LAWYER TO LOOK & RE SUBMIT, COMPASSIONATE RELEASE. ALSO BECAUSE THE BOP WAS LIEN ABOUT THE NUMBERS NOW THAT I PICK BACK UP. THERE IS A 15% ACTIVE CASES HERE AT METROPOLITAN DETENTION CENTER. IT'S SPREADING "LIKE WILD FIRE" THREW THE VENIS, SO I WAS ASKING JUDGE CAN YOU LOOK AT MY COMPASSIONATE RELEASE MOTION AGAIN. DUE TO THIS EVEN MORE POWERFUL SERGE. MR. KOELTL. WHEN MY NUMBERS GET FIX THANKS TOO YOU GRANTING MY FIRST STEP MOTION "GOD IS GOOD" I HAD 24 YEARS LEFT, SO NOW THAT YOU GAVE ME TIME SERVE FOR ONE TWENTY & CAN IT TOGETHER. I HAVE (4) FOUR YEARS LEFT & ELIGIBLE FOR HALFWAY HOUSE IN 2023. WE A FEW WEEKS FROM 2021. SO I HAVE 2 YEARS LEFT LIKE 3 GIVE OR TAKE. BUT MR. KOELTL THAT MEAN I HAVE 85% OF MY TIME IN. THAT'S WHY I ASK CAN YOU LOOK AT MY COMPASSIONATE RELEASE AGAIN. CAN YOU WRITE BACK & LET ME KNOW. SO I WON'T KEEP WAITING YOU. BLE I'M NOT TRYING TOO SET ON YOUR WAVE "NEVER THAT" SOON SCARDS MR. KOELTL. "FACTS" GOD BLESS U & HAPPY HOLIDAYS TOO YOU THE FAMILY & UR STAFF MR. PHIM ALLEN.

ALSO MR. KOELTL MY POINTS DROP SO MUCH I'M GOING TOO A "LOW" FACILITY!! I'M 15 NOW BUT WILL BE LOOSEN 5 MORE!!

KEVIN ALLEN
Phim Allen